

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether (öMTBEö)  
Products Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

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**This document relates to the following case:**

*City of New York v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

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**PLAINTIFF CITY OF NEW YORK’S OBJECTIONS TO DEFENDANT’S  
WITNESS LIST FOR PHASE I**

Plaintiff the City of New York (the öCityö) hereby submits its objections to Defendant’s  
Witness List for Phase I.

Plaintiff the City of New York (the City) hereby objects to Defendant's witness list for Phase I as follows:

1. Plaintiff objects to Defendant calling witnesses Glen Thornhill and Susan Tierney in Phase I, because they are irrelevant to and outside the scope of the issues in Phase I. (FRE 401-403 (as to Phase I).)

2. The City objects to all of the Custodian of Record witnesses Defendant intends to call in Phase I, except the Custodian of records from Malcolm Pirnie, Inc., because they are irrelevant to and outside the scope of the issues in Phase I. (FRE 401-403 (as to Phase I).)

3. The City does not waive (and expressly reserves) the right to make any additional or further objections that may become evident at trial or after service of these objections.

Dated: San Francisco, California  
June 22, 2009

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